



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3222**

October 6, 2022

The Honorable Kristen Clarke  
Assistant Attorney General, Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Assistant Attorney General Clarke:

I write today with serious concerns about the enforcement of Section 303(a) of the Help America Vote Act of 2002 (HAVA). As you may know, Section 303(a) of HAVA prohibits states from accepting voter registrations without personally identifiable information (PII), such as the last four digits of an individual's Social Security number or a driver's license number if an individual has one. Despite this, a new report from the Public Interest Legal Foundation (PILF) recently found that 3.1 million New York voter registrations were missing any form of PII.

Collecting PII from registrants is a critical practice for voter roll maintenance. PII allows states to verify the identity of any given registrant. It also ensures states can accurately maintain voter rolls when individuals file duplicate registrations, move to different states, or pass away. Without PII, matching one John or Jane Doe to another is an incredibly difficult task that could lead to ineligible voters remaining on the rolls, voters registering in multiple states, or a voter receiving more than one opportunity to vote in a given election. With the increase of mail-in voting in New York, this could become particularly problematic, causing even greater chaos and dysfunction in the election process than already exists.

To put it simply: Section 303(a) of HAVA must be enforced by the Department of Justice to protect the integrity of American elections. Faith in our elections is at an all-time low because far too many jurisdictions across the country are failing to comply with even the most basic election integrity measures, including this one. The Department of Justice must send a clear message that compliance with federal law is not a choice but an obligation and that those who choose not to follow it will be held accountable.

I request that you immediately begin ensuring this key law is enforced across the country. With the 2022 midterm elections quickly approaching, I request a response regarding how you will proceed to resolve this matter no later than October 20, 2022.

Sincerely,

CLAUDIA TENNEY  
Member of Congress